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Date Mailed: February 11, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David Mack, *et al.*

Appl. No. 09/525,361

Filed: March 15, 2000

For: **NOVEL METHODS OF  
DIAGNOSING BREAST CANCER,  
COMPOSITIONS, AND METHODS  
OF SCREENING FOR BREAST  
CANCER MODULATORS**

Art Unit: 1634

Examiner: Johannsen, D.

Confirmation No. 9370

Atty. Docket: 05882.0129.CPUS03

**Notice of Appeal From the Examiner to the Board  
of Patent Appeals and Interferences - Small Entity**

Mail Stop AF  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

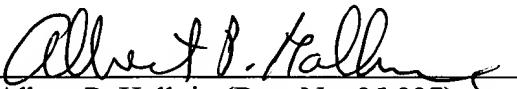
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **August 25, 2003** that resulted in Applicant having claims that have been twice or finally rejected.

The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our Check No. 006561. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05882.0129.CPUS03. A duplicate copy of this Notice is attached.

Respectfully submitted,

Date: February 11, 2004

  
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